

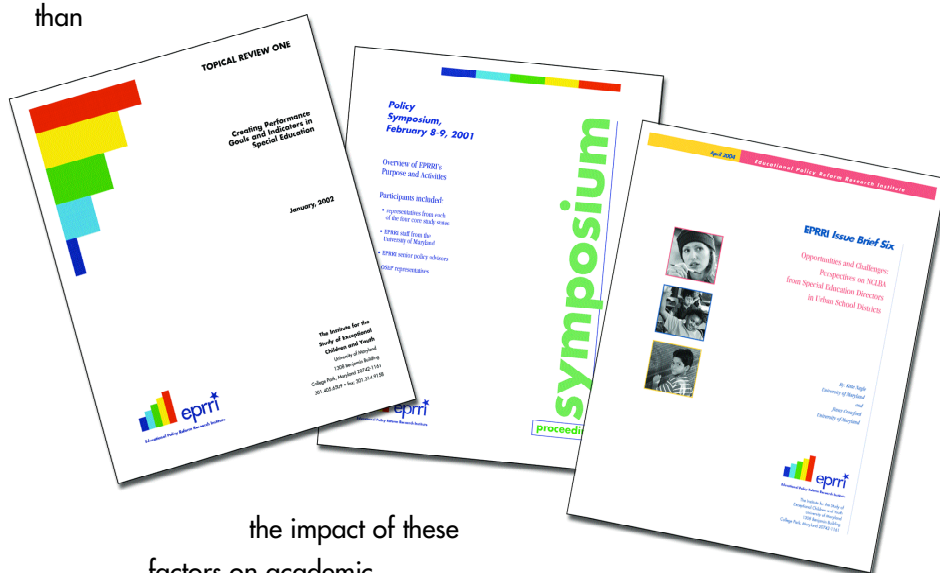
EPRRI's Research Activities into the Impact of Key NCLBA Requirements:

The Educational Policy Reform Research Institute EPRRI, with funding from the U.S. Department of Education's Office of Special Education Programs, investigates the impact of educational accountability reforms on students with disabilities and on special education. EPRRI addresses the research needs of policy-makers and other key stakeholders by identifying critical gaps in current knowledge, seeking promising strategies, and publishing Topical Reviews, Policy Updates, and Issue Briefs.

The Institute is a joint venture of the Institute for the Study of Exceptional Children and Youth at the University of Maryland, the National Center on Educational Outcomes at the University of Minnesota, and the Urban Special Education Leadership Collaborative.

In signing the 2001 Reauthorization of the Elementary and Secondary Education Act (2001) known as the No Child Left Behind Act (NCLBA) President Bush placed students with disabilities into the center of performance based educational reform in the United States. For twenty five years public school systems measured success for students with disabilities primarily on compliance with statutory procedures and the timely delivery of educational services contained in the IEP rather than

learning. Performance indicators must include student participation in and achievement on state assessments in mathematics and English language arts / reading, high school graduation and one other academic indicator, generally student attendance. Two additional and controversial tenets of this round of education reform are that performance on these indicators has timely and direct consequences to school systems and that these systems should account for the performance of



the impact of these factors on academic achievement or post school outcomes.

This most recent federal reform effort in education attempts to measure school effectiveness by what really matters—whether or not children are

all students and each disadvantaged student group.

This Policy Update looks at some of EPRRI's research activities into the impact of key NCLBA requirements:

- Topical Review 4: *Emerging State-level Themes: Strengths and Stressors in Educational Accountability Reform*;
- Topical Review 5: *Highly Qualified Teachers for Students with Disabilities: Identifying the Knowledge and Skills Needed by Special Educators*;
- February 2003 Policy Symposium: *Parent Perspectives: Reporting the Performance and Achievements of Students with Disabilities*;
- Issue Brief 6: *Opportunities and Challenges: Perspectives on NCLBA from Special Education Directors in Urban School Districts*;
- Field-Based Research: *How Did They Do? A Review of 2002-03 Annual Yearly Progress Results in EPRRI's Participating Study Sites*.

Emerging State-Level Themes: Strengths and Stressors in Educational Accountability Reform

Topical Review 4: *Emerging State-level Themes: Strengths and Stressors in Educational Accountability Reform*, provides valuable insight into state-level perspectives on the evolving nature of accountability reforms as it relates to students. The qualitative data, collected October 2001 to May 2002, reflect the perspectives of state-level personnel who were involved with the creation and implementation of their state accountability systems. About one third of these interviews

took place before NCLBA was signed into law, but participant comments reveal their awareness and concerns over the pending legislation.

Highlights

The debate about the inclusion of students with disabilities in performance-based accountability systems remains ongoing, but a key finding of this study was that most participants wholeheartedly supported this policy direction. Participants provided evidence from state assessments that challenged the assumptions that students with disabilities would perform badly on state assessments and be unable to reach grade level. However, most participants commented that, at all levels of the educational system, some individuals still thought that most students with disabilities should not participate in state assessments.

A key issue throughout these interviews was the recommendation that special education and general education personnel at all levels of the system need to increase their level of collaboration and work together on an on-going basis to ensure that students with disabilities are integrated into all reform efforts. State-level participants commented that the new requirements of the NCLBA would encourage greater collaboration and viewed this positively as a way of ensuring that the needs of students with disabilities would be integrated into the design and implementation of the reform

efforts rather than addressed as an afterthought.

Participants emphasized the importance of developing teacher and administrator capacity to effectively implement curricula at the school level, use data effectively and realize the full potential of the accountability reforms. Participants were concerned that without appropriate professional development for teachers and administrators at the school level effective alignment of standards-based curriculum and instructional materials designed to meet the unique needs of diverse learners would not take place. The role of the principal as instructional leader of the school emerged as a crucial element to the success of accountability reform.

Participants in each of the states raised a number of technical concerns relating to the development and administration of state assessments and the state's capacity to track and report student enrollments and performance data. Participants also expressed concern about the validity, reliability, and construct-relevance of the alternate assessment compared to the general state assessment. Additional information gathered from state-level representatives on the evolving nature of accountability reforms as it relates to students with disabilities is available at www.eprri.org.

Highly qualified Teachers for Students with Disabilities: Identifying the Knowledge and Skills Needed by Special Educators

Topical Review 5, *Preparing Educators to Teach Students with Disabilities in an Era of Standards-Based Reform and Accountability*, provides an insight into how state and national policy and standards based practices are supporting the introduction of high quality teacher preparation programs. Information regarding these policies and standards was collected through journals, literature reviews, and research via the internet.

NCLBA requires states and districts to have a highly qualified teacher in every classroom by 2005-06. As a result, there has been a call for high quality teacher preparation and training programs that also align their programs with the content and

achievement standards established by individual states. Although this call comes at a time of severe teacher shortage in school districts across America, NCLBA places the focus on improving teacher quality because it is more closely related to student achievement than any other factor (i.e. class size, spending, and instructional materials).

In order for teachers to effectively promote the achievement of students with disabilities, both special educators and general educators need a repertoire of skills. These include a working knowledge of state and federal requirements for the participation, content standards, and achievement standards, how to individualize instruction for students receiving special education services, and how to include students with disabilities in the general assessments. It is the responsibility of the teacher to ensure that the accommodations and modifications being made are in the best interest of the student. If a student is not eligible to participate in the general assessment, teachers must receive training in the administration of the alternate assessment specified by their state.

Standards-based reform has prompted many states to undergo substantial changes in teacher preparation programs and state licensure requirements. This includes determining rigorous standards that focus on the knowledge and skills needed by entry-level teachers across various disciplines, competency- or performance-based requirements for teacher licensure, and providing structured internship opportunities. One difficulty states now face with licensure tests is their infrequent alignment with the emerging academic content required for states.

Because the need for teachers has become so great, particularly in the area of special education, many states allow teachers to become certified through an alternate certification process, in order to expedite the process of licensure. These programs generally assume that if a prospective teacher has subject-area knowledge, the student teaching and education coursework can be condensed into a very short time period.

More information regarding the requirements for and the training of highly qualified teachers is available at www.epri.org.



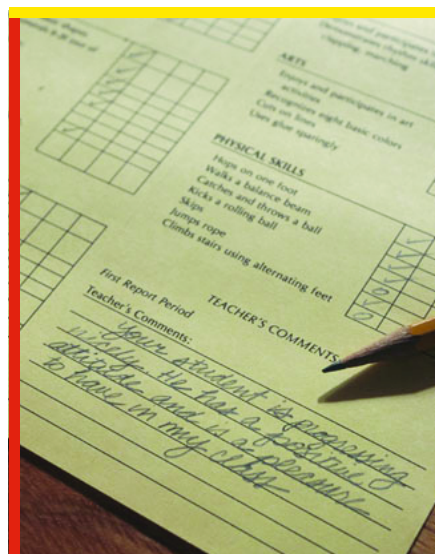
Parent Perspectives: Reporting the Performance and Achievements of Students with Disabilities

At EPRRI's sixth Policy Symposium of February 3-4, 2003, we sought input from parents of students with disabilities regarding usability of current reporting formats and procedures, specific indicators of school performance that parents would like to see reported, and the accessibility of report cards. Each of EPRRI's four study states of California, Maryland, New York, and Texas were represented through parent participation. In addition, representatives from parent advocacy groups and the U.S. Department of Education, Office of Special Education Programs attended.

Highlights

Some parents said they did not know about the assessment requirements under NCLBA as they relate to children with disabilities. Assessments for evaluation purposes were familiar, but those for academic performance were not. The language of accountability and emphasizing the state's role in their child's education were both new elements for parents.

Many parents felt that their districts were either unable or unwilling to provide them with assessment information regarding the content and



structure of assessment(s). Concerns were also expressed over children in separate settings, their opportunity to learn the material tested on state assessments, and the possible lack of individualized instruction. Several parents said they believed that assessment data would be useful in IEP meetings as a way to get districts to focus on programs and results. However, many were also concerned that students with disabilities might be blamed if they were perceived to be the cause of a school receiving sanctions.

A parent-designed school report card for elementary, middle, and high schools would contain the following features:

- More information about the school itself included in the report cards, such as demographics compared within and across districts, a mission statement, and participation rate disaggregated by disability,
- Placement of students with disabilities in Least Restrictive Environments (LRE) by key academic subjects, gender, and disability category,

- Students in alternate settings, such as the juvenile justice system, county-based programs, interim alternate educational settings, etc.,
- Teacher qualifications for regular and special education teachers, paraprofessionals, and service providers,
- Professional development opportunities and amount of time spent by teachers in professional development activities.

Issue Brief 6: Opportunities and Challenges: Perspectives on NCLBA from Special Education Directors in Urban School Districts

This Issue Brief presents the views of eleven individuals, all in special education leadership positions in selected urban school districts, concerning the opportunities and challenges their districts face in implementing key NCLBA requirements for students with disabilities. Results from a survey and two focus groups, conducted in July 2003, reveal that although district leaders see opportunities for students with disabilities, many are facing significant challenges. These challenges are similar across districts despite differences in geographic location, district size,

and student characteristics. Some specific issues relate to multiple themes, thus highlighting the complex nature of many topics within the field of education, particularly special education.

Issues include:

- **Participation and performance of students with disabilities on state assessments-** According to our respondents, although districts ranged widely in their success in making Adequate Yearly Progress (AYP) in 2002-03 for all students, in most districts no schools made AYP for students with disabilities. The possibility of sanctions encourages teachers and administrators to utilize various strategies to solve this problem, including placing low performing students with disabilities on the state's alternate assessment and referring struggling students to special education. District strategies include implementing extended school year programs and summer school. Some participants were cautiously optimistic that special education identification rates may decrease over time.
- **Personnel-** Many district special education leaders are struggling with the new requirement that all core academic subjects be taught by highly qualified teachers by 2005-06. Several participants expressed doubts that alternate certification programs were the answer to the problem. The difficulties in retaining and training principals in an atmosphere of high-stakes and strict accountability were also discussed.
- **Finance and resources-** The combination of the new federal mandates and budget deficits was of paramount concern to all participants. Some spoke of concerns with program cuts, increased referral rates due to a lack of targeted or remedial regular education programs, and inability to hire new teachers or to retain existing ones. Adequate funding was an area that all participating district special education leaders deemed critical to the success of NCLBA legislation.
- **Alignment of IDEA and NCLBA -** Some district leaders pointed out the difficulty in aligning NCLBA with the requirements of IDEA and the philosophy guiding special education practice. Specifically, they discussed a trend away from inclusion, regarded test-based accountability as being a threat to advances in providing least restrictive environment to students with disabilities, and feared a return to more restrictive placements. The logistical challenges involved with providing school choice transfers for students with disabilities, particularly for those in low incidence programs, were proving difficult to navigate for some districts.
- **Longevity of reform and timely access to policy guidance.** An additional challenge relates to the perception of some participants, particularly those from states with little experience of test-based accountability systems, that there was a lack of clear and consistent guidance at the federal and state level in how to implement some of the requirements of NCLBA. Results from this study reveal a lack of understanding on the part of district leaders concerning particular provisions of NCLBA. In addition, participants questioned whether this new initiative would last, or be quickly discarded.



How Did They Do? A Review of 2002-03 Annual Yearly Progress (AYP) in EPRRI's Participating Study Sites

EPRRI staff examined adequate yearly progress results in mathematics and English language Arts/reading in the four core study states of

California, Maryland, New York, and Texas. The results are presented in Table 1 and 2. AYP status is discussed in this section and more specific

information on participating states and districts can be found at www.eprri.org

Table 1: NCLBA Participation and Performance Results 2002-03, in California, Maryland and Texas

2002-2003 AYP Results	Participation Rate ELA	Performance ELA	Participation Rate Mathematics	Performance Mathematics
<u>CALIFORNIA:</u>				
All Students	YES	YES	YES	YES
Special Education	YES	YES	NO	YES
District A				
All Students	YES	YES	YES	YES
Special Education	YES	YES	YES	YES
District B				
All Students	YES	YES	YES	YES
Special Education	YES	YES	YES	YES
<u>MARYLAND:</u>				
All Students	YES	YES	YES	YES
Special Education	YES	NO	YES	NO
District C				
All Students	YES	YES	YES	YES
Special Education	YES	NO	YES	YES
District D				
All Students	YES	YES	YES	YES
Special Education	YES	NO	YES	NO
<u>TEXAS</u>				
All Students	YES*	YES	YES*	YES
Special Education	YES*	YES	YES*	YES
District E				
All Students	YES*	YES	YES*	YES
Special Education	YES*	YES	YES*	YES
District F				
All Students	YES*	YES	YES*	YES
Special Education	YES*	YES	YES*	YES

* Met participation rate through application of hold harmless.

California

Adequate Yearly Progress in English/language arts (ELA) and mathematics is measured by the California Standards Test (CST) in grades 2-8 and by the California High School Exit Examination (CAHSEE) for the secondary grades.

The state of California did not meet the 95% participation requirements for the students with disabilities subgroup in mathematics on the state assessments. Participation at the state level for students with disabilities in mathematics was 94.2 percent. The state made AYP performance targets for both ELA and mathematics for all students and students with disabilities subgroups. However the proficiency rate for students with disabilities in both subjects was well below that of all students. Both participating study districts met the AYP participation and performance requirements of NCLBA for the 2002-2003 school year for all students and students with disabilities, however proficiency rates for students with disabilities were well below those of all students.

Maryland

Adequate yearly progress in reading is measured by the Maryland School Assessment (MSA) in grades 3, 5, and grade 10 reading. In mathematics it is measured by MSA grades 3 and 5 and grade 10 geometry end of course assessment. Confidence intervals are used when calculating minimum requirements to ensure statistical reliability in determining whether AYP is met. The fewer students within a given subgroup, the larger the confidence interval; thus, the disaggregated subgroups scores may fall within wide scoring bands. The state and participating districts meet the 95% participation rate.

At the state and participating district level the all students categories were well above the AYP proficiency target in reading and mathematics. However, neither the state nor the 2 participating districts met AYP targets in reading for students with disabilities. Subsequent to the release of AYP results it was reported that scores were invalidated for third grade special education students and children

with limited English proficiency who had the accommodation of a verbatim reading of the reading assessment. The obtained score was substituted with the lowest possible score for each student in the calculation of AYP. In District C this change affected 832 students and thousands more were affected statewide. In District C special education students met the state's AYP target in mathematics, but the state and District D did not.

Texas

Texas used results from the 2001-02 Texas Assessment of Academic Skills (TAAS) to establish baseline scores for 2002-03 and converted them to reflect estimated standards on the new assessment, Texas Assessment of Knowledge and Skills (TAKS).

In Texas the state developed alternate assessment (SDAA) is designed to accommodate more students with disabilities than in many other states. For 2003, students tested on the SDAA, the locally developed alternate assessments (LDAA), and the Reading Proficiency test in English (RPTE) could not be counted as participants in the calculation of AYP participation rate, which was based on the number of students participating on the TAKS. The result was that the state and many districts did not meet NCLBA participation requirements.

Additional analyses were conducted by the state to identify those districts not meeting the AYP participation criteria solely due to not counting of SDAA, LDAA and limited English proficient students who were assessed only on the state's RPTE. For these districts and campuses, the participation criteria was reevaluated to include special education students tested on SDAA or LDAA, and LEP students tested only on RPTE as participants. The state called this "hold harmless" the state and our two participating school districts met AYP participation requirements.

The state made AYP performance targets for both reading and mathematics for all students and students with disabilities. Both participating study districts met the AYP performance requirements in mathematics and reading for all students and students with disabilities.

New York

Adequate yearly progress in reading and mathematics is based on Grade 4 and 8 English language arts (ELA) and mathematics assessments and high school language arts and mathematics Regents Examinations (See Table 2 on the next page).

As of June 2004 the state level report is still unavailable. In District G all students met AYP performance and participation targets for 2002-03 in ELA and mathematics. In addition the students with disabilities subgroup in District G met participation requirements in mathematics and ELA and met all performance targets, except for middle level ELA.

District H made AYP for all students in mathematics and ELA at the elementary school level, but did not make AYP for students with disabilities in either subject at the elementary level. At the middle school and high school level neither all students nor students with disabilities met NCLBA AYP participation requirements. At the middle school level District H made AYP for performance in ELA and mathematics for all students and stu-

dents with disabilities through applying New York State's interpretation of NCLBA safe harbor provision. Under safe harbor the public school or LEA may be considered to have made AYP, if the percentage of students in that group who did not meet or exceed the proficient level of academic achievement on the State assessments for that year decreased by 10 percent of that percentage from the preceding public school year, that group made progress on one or more of the State's academic indicators, and that group had at least 95 percent participation rate on the statewide assessment. As noted above, however, the middle level participation rate did not meet NCLBA's 95 percent requirement. At the high school level however, the district did not meet safe harbor performance requirements in either subject for all students or students with disabilities.

How Did They Do? A Review of 2002-03 Annual Yearly Progress (AYP) in EPRRI's Participating Study Sites

Table 2: New York Participating District AYP Results in ELA and Mathematics 2002-03

AYP COMPONENT	DISTRICT G		DISTRICT H	
	All Students	Special Education	All Students	Special Education
<u>ELA Grade 4</u>				
Participation	YES	YES	YES	YES
Performance	YES	YES	YES	NO
<u>ELA Grade 8</u>				
Participation	YES	YES	No	No
Performance	YES	NO	YES*	YES*
<u>ELA High School</u>				
Participation	YES	—	—	—
Performance	YES	YES	NO	NO
<u>Mathematics: Grades 4</u>				
Participation	YES	YES	YES	YES
Performance	YES	YES	YES	NO
<u>Mathematics: Grade 8</u>				
Participation	YES	YES	No	No
Performance	YES	YES	YES*	YES*
<u>Mathematics: High School</u>				
Participation	—	—	—	—
Performance	YES	YES	NO	NO
— Not available from current district report cards * Met AYP target through NYS interpretation of the safe harbor provision.				

Overall Impressions

Generally, EPRRI's study sites successfully met many of the 2002-03 AYP targets. Meeting the NCLBA participation requirement was challenging in Texas at the district and state level and this situation remains unresolved. In California, the participation requirement was an issue at the state level, but not for the two participating districts. District H also had problems meeting NCLBA participation requirements at the middle school level. In March 2004, the U.S. Department of Education announced new policies for calculating participation rates, allowing states to average participation rates over a three-year period. In addition, students who are unable to take the test during the testing and make-up windows because of a unique, significant medical emergency will not count against the school's participation rate.

In terms of performance, the students with disabilities subgroup met AYP targets in most study sites, although performance was generally well below that of all students. The only serious exception to this occurred in District H; however it is important to point out that this district faces a number of unique challenges. The impact of non-standard accommodations on the reading scores of students with disabilities was an issue in Maryland, but did not appear to have an impact in other states.

EPRRI states, along with other states and districts across the country face additional challenges in the coming years. For those states that do not already include them testing for grades 3 through 5 will be added to AYP calculations beginning in 2005-06 and AYP targets will likely increase in many states because of the requirement that the first increase from baseline AYP occur within 2 years of the

implementation of the law. In addition the policy context in EPRRI's study states remains fluid as Maryland, New York, and Texas have proposed changes to their initial Title I Consolidated State Application Accountability Workbooks, several of which relate directly to the students with disabilities subgroup. Any proposed changes must be submitted to and approved by the US Department of Education. Meanwhile, California is one of 16 states who are supporting changes in the law to allow states the option of using a growth model and not the current status model in determining yearly progress.

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EPRRI's Core Study States

We conduct research in collaboration with four states and eight local school districts:

CALIFORNIA

- Long Beach Unified School District
- New Haven Unified School District

MARYLAND

- Carroll County Public Schools
- Montgomery County Public Schools

NEW YORK

- North Colonie Central School District
- Rochester City School District

TEXAS

- Cypress-Fairbanks Independent School District
- Garland Independent School District

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Who is involved

EPRRI is a project of the Institute for the Study of Exceptional Children and Youth at the University of Maryland, in collaboration with the National Center on Educational Outcomes and the Urban Special Education Leadership Collaborative.

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